CLn

Feldman Weinstein & Smith

April 30, 2009

By Fax and Fed Ex

Hon. Leonard D. Wexler
United States District Court
Eastern District of New York
Long Island Courthouse
100 Federal Plaza
Central Islip, NY 11722
Fax: 631-712-5642

Re: FDIC v. Dustin Dente, et al. CV 09 1583 (LDW) (WDW)
Withdrawal of Motion for Attachment and Preliminary Relief

Dear Judge Wexler:

This firm represents the Federal Deposit Insurance Corporation (the "FDIC") in the referenced matter. The FDIC withdraws its motion requesting an order of attachment and preliminary injunction against George Guldi without prejudice in light of the affidavit Mr. Guldi has provided. The motion was made by order to show cause signed on April 17, 2009. *

Respectfully submitted,

[signature]

Jennifer Hall

cc.: George Guldi

Enclosure: Affidavit of George Guldi, April 30, 2009

*SO ORDERED

[signature]
USDJ.
CENTRAL ISLIP, NY
5/1/09

MOVANT'S COUNSEL IS DIRECTED TO SERVE A COPY OF THIS ORDER ON ALL PARTIES UPON RECEIPT.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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FEDERAL DEPOSIT INSURANCE
CORPORATION INIT'S CAPACITY AS RECEIVER
OF INDYMAC BANK, FSB.

Plaintiff,

- against --

DUSTIN DENTE, GEORGE GULDI, AND
ULTIMATE TITLE & ABSTRACT, LLC.

Defendants.

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Case No.: CV 09 1583 (LDW) (WDR)
Sur-reply Affidavit in Opposition

George O. Guldi, being duly sworn deposes and says:

1. I was never involved in any of the four loans involved in the instant action as set forth in the reply affirmation of Jenifer hall in support of this application.
2. I never received any proceeds from any of the transactions.
3. I never received any fees for any legal services in connection with these transactions.
4. I never authorized the use of my name without my knowledge and approval as counsel for any transaction including the four in which I have been identified in this action.
5. I never received the check for $71,500 made payable to me and a copy of which is annexed to the reply papers.
6. I never saw copies of any of the contracts which are annexed to the reply papers.
7. I never had a conversation of any nature or description with any of the parties named as buyers or sellers in the contracts annexed as exhibits.
8. Today I was informed by Signature Bank that they would not provide a copy of the back of the purported down payment check without the consent of Mr. Dente the account holder.
9. Having provided Plaintiff with this affidavit I request that they withdraw their motion as they said they would in paragraph 12, of their Reply affirmation.

George O. Guldi

Sworn to before me this
30th Day of April 2009

Notary Public

Sheeba Lupo
Notary Public, State of New York
No. 01LU6175204
Qualified in Suffolk County
Commission Expires October 9, 2011